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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/647,378	11/08/2000	Itaru Kawakami	KOIK-T0185	7333

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EXAMINER

CALLAHAN, PAUL E

ART UNIT PAPER NUMBER

2137

DATE MAILED: 11/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/647,378

Applicant(s)

KAWAKAMI ET AL.

Examiner

Paul Callahan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4,9,10,14,20,22-24,26 and 27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4,20,26 and 27 is/are allowed.
- 6) ☐ Claim(s) 9,10,14 and 22-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action, when taken together with the changes made to the language of the claims via the amendment filed 10/18/06, is persuasive and, therefore, the finality of that action is withdrawn.

2. Claims 1-4, 9, 10, 14, 20, and 22-27 were pending at the time of the previous (final) Office Action, mailed 9/8/2006. Claim 25 has been cancelled via the latest amendment. Therefore claims 1-4, 9, 10, 14, 20, 22-24, 26, and 27 remain pending and have been examined.

### ***Response to Arguments***

3. Applicant's arguments, filed 10-18-2006, with respect to the rejections of claims 1-4, 22, and 27, under 35 USC 101, 102(b), 103(a) and 112 2nd Paragraph have been fully considered and are persuasive. These rejections of the claims have been withdrawn.

### ***Allowable Subject Matter***

4. The indicated allowability of claims 9, 10 and 14, found in the previous Office Action, is withdrawn in view of the newly discovered reference(s) to Hsu, US 5,584,023, and Bouis, US 6,741,608. Rejections based on the newly cited reference(s) follow.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 22-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As for claim 22, the claim recites the limitation: "a second memory area configured to store the data received via the interface *and having been encrypted with the communication key correspondingly to the encryption key encrypted by the encrypting means.*" It is unclear what the applicant contemplates the term "correspondingly" to mean in this context. Claim 23 is dependent on claim 22 and is thereby rejected on the same basis.

As for claim 24, the claim recites the limitation: "a storage medium configured to store the content data received via the interface *and encrypted with the communication key in correspondence with the encryption key* encrypted with the save key." It is unclear what the phrase "in correspondence with" is intended to mean in this context.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 9, 10, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu, US 5,584,023, and Bouis, US 6,741,608.

As for claim 9, Hsu teaches an information processing apparatus (Abstract) comprising: an input configured to receive content data (fig. 1 element 14: Bus, col. 5 lines 45-57); a content data storage area configured to store content data supplied from the input means (fig. 1 element 22: Disk Drive Space, col. 9 lines 49-53); means for compressing, in accordance with a first data format, the content data stored in the content data storing means (col. 5, lines 5-10, claim 4); means for encrypting, in accordance with the first data format, the data stored in the content data storing means (abstract, col. 5, lines 5-10; fig. 4C element 56: Encryption Table, claim 4), and means for controlling storage or read, into or from the content data storing means, of the content data compressed by the compressing means and encrypted by the encrypted means (Abstract; fig. 1 element 18: Disk Controller). Hsu does not explicitly teach steps wherein the compressing means compresses, or the encrypting means encrypts, data supplied in a format other than the first format from the input means, in accordance with

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the first data format. However, Bouis does teach these steps (abstract, fig. 5, col. 2 lines 27-35, col. 2 line 65 through col. 3 line 12, col. 6 lines 1-6). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature of Bouis into the system of Hsu. It would have been desirable to do so since this would allow data transfer from devices utilizing different data compression and encryption formats, thereby increasing the utility of the system. Motive to make the combination is found for example, in Bouis col. 2 lines 5-10 where the desirability of such format conversion is discussed. Hsu discusses a similar advantage in col. 1 lines 25-33 where data transfer between different devices with different storage formats is discussed.

As for claim 10, Hsu teaches the apparatus as set forth in Claim 9, but not wherein the compressing means compresses, or encrypting means encrypts, data supplied from the input means in different formats in one of a plurality of predetermined data formats, and utilizes a predetermined common compressing or encrypting format for outputting content data read from the content data storing means to a predetermined apparatus. However, Bouis does teach these steps (abstract, fig. 5, col. 2 lines 27-35, col. 2 line 65 through col. 3 line 12, col. 6 lines 1-6). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature of Bouis into the system of Hsu. It would have been desirable to do so since this would allow data transfer from devices utilizing different data compression and encryption formats, thereby increasing the utility of the system. Motive

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to make the combination is found for example, in Bouis col. 2 lines 5-10 where the desirability of such format conversion is discussed. Hsu discusses a similar advantage in col. 1 lines 25-33 where data transfer between different devices with different storage formats is discussed.

As for claim 14, the claim is directed towards a computer program stored in a memory medium, that when read out causes a processor to undertake the method steps set forth in claim 1. Therefore claim 14 is rejected on the same basis as is claim 1.

***Allowable Subject Matter***

9. Claims 1-4, 20, 26 and 27 are allowed.

10. The following is an examiner's statement of reasons for allowance:

The closest prior art in the field, Hsu and Bouis, do not teach the combination of features found in the independent claims, particularly including:

- As for claim 1, the first and second control means, where the first control means supplies an encryption program to the second control means, and the use of a comparison of a current hash and past hash of management information to authenticate content management information. Claims 2 and 3 are dependent on claim 1 and are thereby allowable on that basis.

As for claim 4, the independent process controller and program execution controller, where the program execution controller utilizes an encryption program supplied by the process controller, each carrying out the functions recited in the claim.

As for claim 20, holding identification information of stored content data as a usage rule file, performing a computation with a hash function applied to the identification information, storing the result of the computation, and comparing the result of the computation with a past stored computation result to inhibit, when there is coincidence between the computation results, copy or move of the content data stored in the storage medium.

As for claims 26 and 27, storing the content data received via the interface and encrypted with the communication key in correspondence with the encryption key encrypted with a save key.

### ***Conclusion***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul E. Callahan whose telephone number is (571) 272-3869. The examiner can normally be reached on M-F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Emmanuel Moise, can be reached on (571) 272-3865. The fax phone



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number for the organization where this application or proceeding is assigned is: (571)

273-8300.

11/17/06

PEC

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SUPERVISORY PATENT EXAMINER